

AMENDED CHARTER RESOLUTION
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, TO
AMEND ARTICLE III, "MAYOR AND COUNCIL", §C3-1, "MEMBERSHIP;
ELECTION; TERM OF OFFICE", TO DELETE THE REQUIREMENT THAT
ELECTED OFFICIALS SHALL BE REGISTERED TO VOTE FOR ONE YEAR
PRIOR TO THEIR ELECTION AND TO SUBSTITUTE THE REQUIREMENTS
THAT A MAYORAL CANDIDATE SHALL HAVE BEEN DOMICILED IN THE
CITY FOR AT LEAST ONE YEAR PRIOR TO QUALIFICATION AS A
CANDIDATE, AND~~**TO CLARIFY**~~ **THAT A CANDIDATE FOR COUNCIL**
MEMBER ~~**MUST BE A RESIDENT OF**~~ **SHALL HAVE BEEN DOMICILED IN**
THEIR RESPECTIVE DISTRICT ~~**AT THE TIME OF**~~ **FOR AT LEAST ONE**
YEAR PRIOR TO QUALIFICATION AS A CANDIDATE, TO MAKE
PROVISION FOR MEETING THE DOMICILE REQUIREMENT UPON
REDISTRICTING, TO AUTHORIZE THE SUPERVISORS OF ELECTIONS TO
VERIFY THE REQUIREMENTS OF AGE, CITIZENSHIP AND DOMICILE TO
BE A CANDIDATE, AND TO MAKE CONFORMING CHANGES.

A Charter Resolution of the Mayor and Council of the City of College Park, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and §4-301 *et seq.*, Local Government Article, Annotated Code of Maryland, as amended.

WHEREAS, §C3-1, "Membership; Election; Term of Office" currently requires that a candidate for City elective office, at the time of taking office, shall have attained the age of 18 years and must be a citizen of the United States, and a registered voter in the City for at least one year immediately preceding the date of election; and

WHEREAS, the Mayor and Council have determined that requiring a Mayoral candidate to establish domicile in the City for one year prior to qualification, and requiring a Councilmember candidate to establish domicile for at least one year prior to qualification, instead of requiring voter registration in the City for one year prior to the election, will expand the pool of possible candidates while still ensuring that individuals are knowledgeable about the College Park community; and

CAPS : Indicate matter added to existing law.

[Brackets] : Indicate matter deleted from law.

Asterisks * * * : Indicate matter remaining unchanged in existing law but not set forth in Resolution.

CAPS : Indicate matter added in amendment

[Brackets] : Indicate matter deleted in amendment

WHEREAS, the Mayor and Council wish to make provision for how domicile in a Council district is affected by redistricting; and

WHEREAS, the Mayor and Council have determined that it is in the public interest to delete the requirement that a candidate for City elected office be a registered voter for at least one year prior to election, to substitute the requirements that a Mayoral candidate shall have been domiciled in the City for at least one year prior to qualification, and that a Councilmember candidate shall have been domiciled in their respective district for at least one year prior to qualification, and to make provision for meeting the domicile requirements upon redistricting; and

WHEREAS, the Mayor and Council authorize the City's Supervisors of Elections to confirm age, citizenship and domicile.

Section 1. NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of College Park that Article III, "Mayor and Council", §C3-1, "Membership; election; term of office" be repealed, re-enacted and amended to read as follows:

§ C3-1 Membership; election; term of office.

All legislative powers of the City shall be vested in a Mayor and eight district Council members, two from each district of the City, to be known as the Mayor and Council. The Mayor and Council is the legislative body of the City. The Mayor shall be elected at large by the voters of the City and the Council members shall be elected by the voters within their respective districts. The candidate for Mayor with the highest number of votes shall be declared elected as Mayor. The two candidates for Council member for each Council district with the highest number of votes shall be declared elected as Council member. At the time of taking office, the Mayor and each member of the Council shall have attained the age of 18 years. TO QUALIFY, A CANDIDATE FOR ELECTIVE OFFICE [~~and must~~] SHALL:

1. Be a citizen of the United States;
2. BE a current registered voter in the City; [~~so registered for at least one year immediately preceding the date of election~~] AND

3. FOR COUNCIL MEMBER CANDIDATES, ~~[BE]~~ HAVE BEEN DOMICILED IN THEIR RESPECTIVE DISTRICT FOR AT LEAST ONE YEAR IMMEDIATELY PRECEDING THE DATE OF QUALIFICATION. A COUNCIL MEMBER CANDIDATE DOES NOT LOSE THE BENEFIT OF HAVING MET ALL OR PART OF THE ONE YEAR DOMICILE PERIOD REQUIREMENT DUE TO REDISTRICTING OF THEIR DOMICILE. ~~[AND]~~
4. FOR MAYORAL CANDIDATES, HAVE BEEN DOMICILED IN THE CITY FOR AT LEAST ONE YEAR IMMEDIATELY PRECEDING THE DATE OF QUALIFICATION.

THE CITY'S SUPERVISORS OF ELECTIONS SHALL DETERMINE WHETHER THESE REQUIREMENTS HAVE BEEN MET. The Mayor and Council members shall continuously ~~[reside]~~ BE DOMICILED in the City during their term of office. Each Council member must reside in their respective district and the Mayor and each Council member shall retain throughout their respective term of office all the qualifications necessary for election, and the failure to retain all of such qualifications shall ipso facto cause a forfeiture of office.

Section 2. BE IT FURTHER RESOLVED by the Mayor and Council of the City of College Park that this Charter Resolution was introduced on the 8th day of September, 2020 and was considered for adoption after a public hearing. It is adopted as amended this 13th day of October, 2020, after at least 21 days of prior public notice of the public hearing and shall be and become effective upon the fiftieth (50th) day after its passage by the City unless petitioned to referendum in accordance with §4-304 of the Local Government Article, Annotated Code of Maryland within forty (40) days following its passage. A complete and exact copy of this Amended Charter Resolution shall be posted in the City offices located at 4500 Knox Road, College Park, Maryland for forty (40) days following its passage by the Mayor and Council and a fair summary of the Amended Charter Resolution shall be published in a newspaper having general circulation in the City not less than four (4) times, at weekly intervals, also within the forty (40) day period following its adoption by the City.

Section 3. BE IT FURTHER RESOLVED that, within ten (10) days after the Amended Charter Resolution hereby enacted becomes effective, either as herein provided or following referendum, the City Manager for the City of College Park shall send separately, by mail, bearing a postmark from the United States Postal Service, to the Department of Legislative Services, one copy of the following information concerning the Amended Charter Resolution: (i) the complete text of this Resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this Resolution by the Council of the City of College Park or in the referendum; and (iv) the effective date of the Charter Resolution.

Section 4. BE IT FURTHER RESOLVED that the City Manager of the City of College Park be, and hereby is, specifically enjoined and instructed to carry out the provisions of Sections 2 and 3 as evidence of compliance herewith; and said City Manager shall cause to be affixed to the minutes of this meeting (i) an appropriate Certificate of Publication of the newspaper in which the fair summary of the Charter Resolution shall have been published; and (ii) shall further cause to be completed and executed the Municipal Charter or Annexation Resolution Registration Form.

Section 5: BE IT FURTHER RESOLVED that if any provision of this Resolution or the Charter adopted by this Resolution, or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Resolution or of the Charter which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Resolution and of the Charter are hereby declared to be severable.

INTRODUCED by the Mayor and Council of the City of College Park at a regular meeting on the 8th day of September 2020.

ADOPTED by the Mayor and Council of the City of College Park at a regular meeting

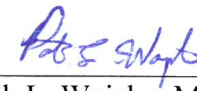
on the 13th day of October, 2020.

EFFECTIVE the 2nd day of December, 2020.

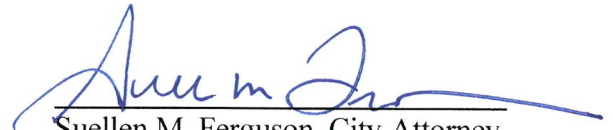
ATTEST:


Jareen S. Miller, CMC, City Clerk

CITY OF COLLEGE PARK,

By 
Patrick L. Wojahn, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**


Suellen M. Ferguson, City Attorney